Law
Education

(1933) Department.

Fls SERIES.

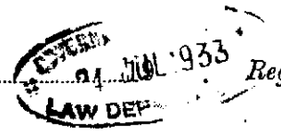
G.O. No. 1148

DATED the 14th October 1933

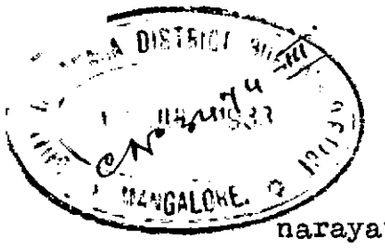
[Despatch Abstract.]

Elementary Education Fund — Taluk Board, Puttur (South Kanara) — Payment of gratuity to a retired teacher —

Local Self Government **DEPARTMENT.**



Registered



Subject.

Gratuity - Payment due to teacher K. P. Shankernarayana - Amount held under objection by Audit Department as being excess ~~amount~~ payment - waivery of the refund of amount - orders solicited.

Enclosures.
No.
Spare copies

No. 2024/39.

Station Puttur, S.Kanara, *Dated the* 12th July 1933. 19

From (Name) M. R. Ry. Molahalli Shiva Rao, Avl.,

(Designation) President, Taluk Board, Puttur, S.K.

To The Secretary to the Government of Madras,

Law and Education ----- Department.

Thro' MADRAS.

Sir,

The President, District Board,

South Kanara - Mangalore.

Sir,

One K. P. Shankernarayana - ex-teacher, Banthalapu Board Elementary school under the Board retired from service on 15-4-1931 on his attaining 55th years of age after rendering a service of 26 years as teacher under the Board. He was drawing a monthly pay of Rs. 25/- at the time of his retirement. He had no benefit of the Local Fund Provident Fund. He was therefore paid a gratuity of Rs. 375/- calculating the same under Rule V (2) of the Rules issued in G.O.No. 4309 - L and M., dated 26-10-1928.

The District Inspector of Local Fund Accoun

South Kanara in his further remarks on the replies to the objection Statement wanted that an application should be obtained from the teacher for gratuity in the form prescribed for Government servants which was accordingly furnished to the Audit Office although it is not prescribed for use in the case of local board servants. He has now held under objection Rs. 150/- out of Rs. 375/- paid as gratuity on the ground that it is in excess of what would be admissible under Rule X (a) of the Rules regulating the payment of gratuity and requests that the excess of Rs. 150/- needs recovery in the absence of special sanction of Government. Copy of the further remarks of the District Inspector is herewith enclosed for kidd reference.

In this connection I have the honour to submit that the teacher was paid the gratuity under Rule V (2) of the Rules referred to above, for a period of 26 years thoroughly satisfactory services rendered by him treating him as a servant of the superior class for the full period of his service. It is not said definitely in any rules or regulations, so far as I am aware that the services of teachers are to be treated as inferior. The Civil Service Regulation says that in the case of forest guards who begin service on the inferior scale and then rise to the superior one, the whole service should count as superior. The present case is analogous.

If the Government also insist on the refund of the amount held under objection by the District Inspector it would be very hard upon the poor old teacher, to refund the amount as he has not got sufficient savings or assets from which the amount could be recovere It is with difficulty that he maintains himself and his family

I have therefore the honour to request that Government may be pleased to order the waiver of the recovery of the amount held under objection by the District Inspector as a special case and to admit the amount in audit.

(S.F. 45-A and L.F.-167—combined.)

Further remarks on the replies to the Objection Statement on the Audit and Examination of the accounts of the Puttur Taluk Bd **for the month of** October to March. **1932**

Number of item in objection statement. (1)	Voucher number. (2)	Amount objected to. (3) Rs.	A.	P.	Further objection. (4)	Reply. (5)
8	266/11-32	150	0	0	Gratuity paid to Mr. K.P.Shankernarayana Rao. Out of the total service of 26 years put in by the teacher the period of 11 years, 3 months and 16 days is inferior (from 16-4-05 to 31-7-16) and the period of 14 years, 8 months and 14 days from 1-8-16 to 14-4-31 is superior. Under rule X (a) of the gratuity rules the teacher would be entitled to Rs.190 i.e. 4 months' pay under rule VII for the inferior service of 11 yrs., rounded to years = 4x10=Rs.40, plus 14x25/2=Rs.175/- limited to 6 months pay or Rs.150/- the superior service being under rule V (2). But under rule X (a) the teacher may be paid Rs.225 i.e. 9 x 25, Under rule VII. The Taluk Board having sanctioned an amount far more in excess than what	

Number of item in objection statement. (1)	Voucher number (2)	Amount objected to. (3)			Further objection.	Reply. (5)
		Rs.	A.	P.		
					what would be admissible under rule X-(a). the excess amount of Rs.150/- (Rs.375/- - 225/-) paid [illegible] is inadmissible and would need recovery in the absence of special sanction of Government.	

d. S.Rangaswamy Iyyer,

District Inspector of

I.A.F. Accts. S.K.Dt.

Endorsement by M.R.Ry A. B. Shetty Avargal, M.L

President, District Board, South Kanara.

Submitted.

President, District Board,
South Kanara.

Mangalore,
18.7.1933

Circuit 3428 II
28/7/33

C. P. Fund - Dakuk Boro
Potter - Payment of gratuity to a retired
teacher - Debit Refee :- Letter from th
P. D. B. Potter No 2024 & 12.7.33.

Local Fund Audit **DEPARTMENT.**

Received 12 SEP 1933 192 . *Registered* 192 .

Subject.

Elementary Education Fund - Puthur Taluk Board - Gratuity to teacher K.P.Shankernarayana - Excess payment.

ENCLOSURES.
No.
Spare copies

L.F No. 3027

Station Fort St.George , *Dated the* 16th September 1933 192

From (Name) Ram Gopal Esquire,
(Designation) Examiner of Local Fund Accounts, Madras.

To The Secretary to the Government of Madras,
Law (Education) Department.

Sir,

With reference to Government Endorsement No.3928 A-1, dated the 28th July 1933, on the subject noted above, I have the honour to state that the gratuity of Rs.375/- was paid from the Elementary Education Fund in May 1931 and subsequently met from the General Funds in November 1931 as a result of audit objection calling for the sanction of Government to the debit.

2. The teacher in question who had put in a total service of 26 years as shown in the margin was paid gratuity, by treating the whole service as superior, when it was partly inferior and partly superior under Rule V (2) of the Gratuity Rules. Under Rule X (b) of the rules

		Y.	M.	D.
Inferior service:	16th April 1905 to 31st July 1916.	11	3	16
Superior service:	1st August 1916 to 14th April 1931.	14	8	14
		26	0	0

issued in G.O.No.4309, L&M., dated the 26th October 1928 which was adopted by the District Board in Resolution No.112, dated the 27th May 1930, the teacher would get Rs.190, that is four months' pay for the inferior service of 11 years = 4 x Rs.10 = Rs.4 under Rule VII, plus 14 x 25/2 = Rs.175 limited to six months pay or Rs.150 under Rule V (2), the superior service being under 15 years. But allowing the option given in Rule X (a) which is more beneficial to the teacher he would get 9 x 25 = Rs.225/- for service not less than 25 years but less than 30 years. The Taluk Board having sanctioned a payment of Rs.375/- against Rs.225/-, the excess of Rs.150/- paid is held to be inadmissible.

It may also be stated in this connection that the gratuity admissible if the whole service is treated as superior, will be only Rs.325 being thirteen months' pay.

3. The enclosures received with the Government Endorsement are returned herewith.

Local Govt Dept

[3928 A] From the P. T. B Pultm No 2024/32 & 12.7
[5255 A] From the Sec L.G.A No 3027 & 18.9.3

L. & G. - Dalrk Board Pultm - Payment of gratuity to a retired teacher - Debt

The P. T. B Pultm requests (for inferior and superior)
the whole service of the Retired teach
i e 26 years may be treated as Sup
for purposes of payment of gratuity. T
is no provision in the rules appended
(H) G.O 4309 L&m & 26.X.28 (for treating the whole ser
Historical Superior! Under rule X(a) of the rul
the whole service may be treated as inf
for purposes of gratuity or under rule X(b) the
Superior part may be counted towards grat
on the Superior scale and the inferior part
towards gratuity on the inferior scale.

The Remarks of L.S.G Dept
be invited w.o

Sd
22.9.33

Govt
2/10.

LJG

LJG/LO

LE 3928 A-2
28.9.33.

It has recently bee
held in G.O. No. 4084 Lo
of 4.10.33 that for

GOVERNMENT
33

CVR 28/9

Returned in Lett

purposes of gratuity. The ser
rendered by elementary school m
under the control of local
boards & municipal councils
should be treated as superio
irrespective of their pay.
The gratuity in this case sha
be regulated accordingly.

Sir

6/10
7/10

It does not appe
that the recent Go
Can apply to the
present case as
the teachers are re
retired on 8th April
The maximum gra
that the teachers
eligible is only Rs
as provided out by
the Govt.

Sectt. II-5 (9)

DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Elementary Education Fund - Taluk Board, Puttur (South Kanara) - Payment of gratuity to a retired teacher - Orders passed.

READ AGAIN G.O. No. ....., dated ..... 19 .

" " " ..... " ..... 19 .

READ ALSO:—

C No. 3928 A From the P.T.B., Puttur, No. 2024/33, dated 12-7-33 19

" " 5255 A " " Examiner of L.F.A. " 3027 " 16-9-33 19 .

" " ..... " " ..... " ..... " ..... 19 .

ORDER.

Ms

No. 948, dated 19/10/33.

The President, Taluk Board, Puttur, is informed that the claims for gratuity are regulated by the provisions of the Civil Service Regulations and that the case of the retired teacher K.P. Sankernarayana is covered by article 396, Civil Service Regulations according to which th teacher's service on a pay exceeding Rs 10 can only be considered superior.

Under rule X (a) of the rules append ed to G.O.No. 4309 L.&.M., dated 26-10-28 the retired teacher is entitled ~~for~~ a gra tuity of Rs 225/- only. The Government sanction the debit of this amount only to the Elementary Education Fund under the control of the Taluk Board.

To

The P.T.B., Puttur (S. Kanara)

The Examiner of L.F.A.

DEPARTMENT. LE 3789.

Received ... 17 JUL 1933 ... 19 Registered 17/7 19 33

Subject.

Gratuity - Payment due to teacher K. P. Shankernarayana - Amount held under objection by Audit Department as being excess annual payment - waivery of the refund of amount - orders solicited.

Leave Regn
in may be taken in receipt of the original le
& through the D.D.B. (~~[illegible]~~)
~~[illegible]~~ may be awaited.

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No. ...
...
Spare copies ...

No. 2024/33

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Your most obedient Servant,

President,
Puttur Taluk Boa

(S.F. 45-A and L.F.-167—combined.) 15 R.F. XXIX-44—5,004-8 8 39 (5)

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